

IC 14-24-11

Chapter 11. Offenses and Penalties

IC 14-24-11-1

Prohibitions

Sec. 1. A person who does any of the following violates this article:

- (1) Sells, barter, or gives away a plant that contains a pest or pathogen that is likely to cause harm.
- (2) Exposes an element of beekeeping to the danger of other bees or elements of beekeeping infected with disease.
- (3) Conceals the presence of a pest or pathogen.
- (4) Refuses to allow the department to inspect a site that the department is authorized to inspect under this article.
- (5) Hinders or impedes the department in performing the department's duties under this article.
- (6) Violates any of the following:
 - (A) This article.
 - (B) A rule adopted under this article.
 - (C) A notice or an order issued under this article or under IC 14-7 (before its repeal).

As added by P.L.1-1995, SEC.17.

IC 14-24-11-2

Revocation of permit, certification, or other authorization

Sec. 2. The commission may revoke a permit, certification, or other authorization issued under this article if the commission finds at least one (1) of the following:

- (1) The permit, certification, or other authorization was issued as a result of fraud or misrepresentation by the recipient.
- (2) The person who holds the permit, certification, or other authorization has violated any of the following:
 - (A) This article.
 - (B) A rule adopted under this article.

As added by P.L.1-1995, SEC.17.

IC 14-24-11-3

Civil action to restrain violations

Sec. 3. The commission may bring a civil action in the name of the state through the attorney general, in a circuit or superior court having jurisdiction in a county in which the property involved is located or in which a person resides, to restrain the person from commencing or continuing to violate any of the following:

- (1) This article.
- (2) A rule adopted under this article.
- (3) An order entered under this article or under IC 14-7 (before its repeal).

As added by P.L.1-1995, SEC.17.

IC 14-24-11-4

Violations

Sec. 4. (a) Except as provided in subsections (b) and (c), a person that knowingly violates this article commits a Class C infraction.

(b) A person, other than the state or a political subdivision of the state, that recklessly disturbs or molests an apiary, a honeybee hive, a honeybee colony, or other honeybee habitat, natural or manmade, without the permission of the owner commits a Class B misdemeanor.

(c) A person who recklessly or knowingly introduces a pest or pathogen into Indiana without a permit issued under:

(1) IC 14-7-9-2 (before its repeal); or

(2) IC 14-24-9-2;

commits a Class A infraction.

(d) Each day a violation occurs under this section is a separate offense.

As added by P.L.1-1995, SEC.17.

IC 14-24-11-5**Assessment of expenses**

Sec. 5. If an order is issued:

(1) under this article or under IC 14-7 (before its repeal); or

(2) as a result of an administrative proceeding under this article or IC 14-7 (before its repeal);

the court or the director may assess against a party to the proceeding the costs and expenses, including attorney's fees, incurred by the person with respect to the proceedings, including a judicial review of a final agency action. The award of attorney's fees shall be based on a schedule of attorney's fees established by rules of the commission.

As added by P.L.1-1995, SEC.17.